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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel Pellerin

Group Art Unit: 3728

Serial No.: 09/771,416

Examiner:

Filed: January 26, 2001

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For: UNIVERSAL CLEAT

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RESPONSE TO OFFICE ACTION

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Introductory Comments

This paper responds to the Office Action mailed on February 2, 2005.

Applicant respectfully submits that the examiner has misapplied existing law in rejecting the instant application. Applicant has endeavored in the remarks section of this response and in the amendments to the claims, to disabuse the examiner of those erroneous impressions and understandings regarding existing law in an endeavor to place this application into form for allowance.

In light of the foregoing, applicant traverses the rejection of claims 10 through 26 made under 35 USC 112, first paragraph as allegedly failing to comply with the written description requirement and requests reconsideration thereof.

Applicant further traverses the rejection of claims 1 through 3, 8 and 10 through 18 made under 35 USC 112, second paragraph, as allegedly being insufficiently definite and failing to particularly point out describe, and claim the subject matter which applicant regards as the invention, and requests reconsideration thereof.

Applicant still further traverses the rejection of claim 1 made under 35 USC 102(b) as allegedly being anticipated by U.S. patent 1,055,229 to Rogers and requests reconsideration of that rejection.

Applicant further traverses the rejection of claims 2, 3 and 8 made under 35 USC 103 as allegedly being obvious in light of U.S. patent 1,055,229 to Rogers and requests reconsideration of the rejection.

Applicant further traverses the rejection made of claims 1, 3, 4, 6, 7 and 9 under 35 USC 103 as allegedly being obvious to one of ordinary skill in the art and therefore unpatentable when considering U.S. patent 5,058,292 to Tanel in view of U.S. patent 4,590,693 to Kawashima, et al. and U.S. patent 5,943,795 to Ueda, et al. Reconsideration of this rejection is also respectfully requested.

Applicant further traverses the rejection of claims 2, 5, 8 and 9 made under 35 USC 103 on the basis of U.S. patent 5,058,292 to Tanel in view of U.S. patent 4,590,693 to Kawashima, et al. and further in view of U.S. patent 4,523,396 to Dassler and requests reconsideration.